

LEGISLATURE OF NEBRASKA

ONE HUNDREDTH LEGISLATURE

FIRST SESSION

LEGISLATIVE BILL 316

FINAL READING

Introduced by Friend, 10; Raikes, 25

Read first time January 11, 2007

Committee: Education

A BILL

- 1 FOR AN ACT relating to education; to create the Special Education
- 2 Services Task Force; to provide powers and duties; to
- 3 provide for termination; and to declare an emergency.
- 4 Be it enacted by the people of the State of Nebraska,

1 Section 1. The Special Education Services Task Force is
2 created. Members of the task force shall be appointed on or before
3 July 1, 2007, and shall include:

4 (1) The chairperson of the Education Committee of the
5 Legislature and one other member of such committee;

6 (2) One member of the Legislature who is not a member of
7 the Education Committee;

8 (3) One parent who has a child receiving special
9 education services in a private setting;

10 (4) Two parents who have children receiving special
11 education services in a school district;

12 (5) Two educational service unit special education
13 teachers;

14 (6) One public school special education teacher;

15 (7) One public school special education director or
16 educational service unit special education director;

17 (8) One private school principal or director;

18 (9) One school board member;

19 (10) One representative of the State Department of
20 Education who has expertise in special education;

21 (11) One representative of the Department of Health and
22 Human Services who has expertise in the placement of state wards;
23 and

24 (12) One representative of a private provider of special
25 education services.

1 The members listed in subdivisions (1) and (2) of
2 this section shall be appointed by the Executive Board of the
3 Legislative Council. The member listed in subdivision (10) of this
4 section shall be appointed by the Commissioner of Education. All
5 other members shall be appointed by the Governor.

6 Sec. 2. The chairperson of the Education Committee of
7 the Legislature shall be the chairperson of the Special Education
8 Services Task Force and shall call the initial and subsequent
9 meetings of the task force. Members of the task force shall
10 be reimbursed for their actual and necessary expenses incurred
11 in carrying out their duties as members of the task force as
12 provided in sections 81-1174 to 81-1177. The Education Committee
13 of the Legislature, the Legislative Fiscal Analyst, and the State
14 Department of Education shall provide research and administrative
15 support for the task force. For budgetary purposes only, the task
16 force shall be within the Legislative Council.

17 Sec. 3. The Special Education Services Task Force shall
18 examine the provision of special education services in Nebraska.
19 The task force shall make recommendations for policies and
20 potential legislation to the Clerk of the Legislature and the
21 Education Committee of the Legislature on or before December 31,
22 2007. The examination of special education services shall include,
23 but not be limited to:

24 (1) Applicable federal and state laws;

25 (2) The provision of special education services in other

1 states;

2 (3) Application of the least-restrictive-environment
3 doctrine;

4 (4) The availability of special education services across
5 the state;

6 (5) The use of private providers of special education
7 services by public school districts;

8 (6) The use of private providers of special education
9 services by private citizens; and

10 (7) The provision of special education services for wards
11 of the state or wards of the court.

12 The task force may hold one or more public hearings to
13 obtain input.

14 Sec. 4. The Special Education Services Task Force
15 terminates on December 31, 2007.

16 Sec. 5. Since an emergency exists, this act takes effect
17 when passed and approved according to law.